

twelve (12) or more years creditable service, may select a Death Benefit Plan and designate a nominee to receive a reduced monthly annuity either for life, or for a ten (10) year guaranteed period, to become effective and payable, in lieu of the refund of the member's contributions, to such nominee beginning the day following the death of such member. If the qualified member dies without having made such Death Benefit Plan Selection, the surviving spouse may choose the plan in the same manner as if the member had completed the selection. If there is no surviving spouse, the personal representative of the estate of the deceased member may choose the option plan for the benefit of the decedent's heirs or devisees. Application for such plan shall be on forms prescribed by the State Board of Trustees. The reduced benefits shall be computed in the same manner as for a member's service retirement as provided elsewhere in this Act. The ages of the member and the nominee at the date of the member's death shall be used in determining the reduced annuity. The plan selected shall become null and void upon the effective date of the member's retirement, provided, however, that any member with seven (7) or more years of creditable service who is required to retire on disability, as provided elsewhere in this Act, shall be eligible to select a reduced annuity in the same manner as that provided for members retiring on a service retirement."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule hereby is suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on March 15, 1979: Yeas 29, Nays 0; Senate concurred in House amendment on April 18, 1979, by a viva-voce vote; passed the House, with amendment, on April 12, 1979, by a non-record vote.

Approved April 26, 1979.

Effective Aug. 27, 1979, 90 days after date of adjournment.

BOILERS—INSPECTIONS, EXAMINATIONS, AND CERTIFICATIONS—FEES

CHAPTER 81

S. B. No. 714

An Act relating to inspection, examination, and certification fees charged under the boiler inspection law: amending Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes), by amending Section 11 and amending Section 11a and giving it a new number: Subsection (e), Section 11.

Be it enacted by the Legislature of the State of Texas:

Section 1. Section 11, Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes), is amended⁶¹ to read as follows:

"Sec. 11. (a) The Commissioner may fix and collect fees for the inspection of boilers.

61. Vernon's Ann.Civ.St. art. 5221c, § 11.

"Such fees must be paid by the owner or user before the issuance of a Certificate of Operation for the boiler inspected.

"(b) The Commissioner may fix and collect fees for administering examinations as provided by this Act to insurance companies' boiler inspectors.

"(c) The Commissioner may fix and collect fees for the inspection and certification as provided by this Act of safety valve repairmen or manufacturers.

"(d) With the advice of the Board of Boiler Rules, the Commissioner shall fix the fees provided by this Act in amounts that produce income sufficient to cover the expenses incurred in the administration of this Act. Fees collected by the Commissioner under the provisions of this Section of the Act shall be paid into the State Treasury to the credit of the General Revenue Fund."

Sec. 2. Section 11a, Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes), is amended and renumbered ⁶² to read as follows:

"(e) The Commissioner may fix and collect fees for special inspections as referred to in Section 6 of this Act. Such fees, travel, and per diem collected under the provisions of this Section of the Act shall be reapportioned to the credit of the Boiler Inspection Division."

Sec. 3. This Act takes effect September 1, 1979.

Sec. 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on March 19, 1979: Yeas 30, Nays 0; passed the

House on April 12, 1979, by a non-record vote.

Approved April 26, 1979.

Effective Sept. 1, 1979.

COMPTROLLER OF PUBLIC ACCOUNTS—ACCEPTANCE OF FEDERAL FUNDS

CHAPTER 82

S. B. No. 717

An Act authorizing the comptroller to accept federal money for agencies upon compliance with state and federal laws; amending Article 4344, Revised Civil Statutes of Texas, 1925.

Be it enacted by the Legislature of the State of Texas:

Section 1. Article 4344, Revised Civil Statutes of Texas, 1925, is amended ⁶³ to read as follows:

"Art. 4344. Certain duties

"Among other duties the Comptroller shall:

"1. Procure a seal with words 'Comptroller's Office, State of Texas' engraved around the margin and a five-pointed star in the center,

⁶². Vernon's Ann.Civ.St. art. 5221c, § 11a.

⁶³. Vernon's Ann.Civ.St. art. 4344.